



General Assembly

February Session, 2012

Governor's Bill No. 5022

LCO No. 389

* ____HB05022JUD__041112__ *

Referred to Committee on Government Administration and
Elections

Introduced by:

REP. DONOVAN, 84th Dist.

REP. SHARKEY, 88th Dist.

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

***AN ACT INCREASING PENALTIES FOR VOTER INTIMIDATION AND
INTERFERENCE.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 9-363 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 Any person who, with intent to defraud any elector of his or her
4 vote or cause any elector to lose his or her vote or any part thereof,
5 gives in any way, or prints, writes or circulates, or causes to be written,
6 printed or circulated, any improper, false, misleading or incorrect
7 instructions or advice or suggestions as to the manner of voting on any
8 tabulator, the following of which or any part of which would cause
9 any elector to lose his or her vote or any part thereof, or would cause
10 any elector to fail in whole or in part to register or record the same on
11 the tabulator for the candidates of his or her choice, shall be [fined not
12 more than five hundred dollars or be imprisoned not more than five

13 years or be both fined and imprisoned] guilty of a class D felony.

14 Sec. 2. Section 9-364 of the general statutes is repealed and the
15 following is substituted in lieu thereof (*Effective July 1, 2012*):

16 Any person who influences or attempts to influence any elector to
17 stay away from any election shall be [fined not more than five hundred
18 dollars and imprisoned not more than one year nor less than three
19 months] guilty of a class D felony.

20 Sec. 3. Section 9-364a of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective July 1, 2012*):

22 Any person who influences or attempts to influence by force or
23 threat the vote, or by force, threat, bribery or corrupt means, the
24 speech, of any person in a primary, caucus, referendum convention or
25 election; or wilfully and fraudulently suppresses or destroys any vote
26 or ballot properly given or cast or, in counting such votes or ballots,
27 wilfully miscounts or misrepresents the number thereof; and any
28 presiding or other officer of a primary, caucus or convention who
29 wilfully announces the result of a ballot or vote of such primary,
30 caucus or convention, untruly and wrongfully, shall be [fined not more
31 than one thousand dollars or imprisoned not more than one year or be
32 both fined and imprisoned] guilty of a class C felony.

33 Sec. 4. Section 9-365 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective July 1, 2012*):

35 Any person who [, at or within] (1) during the period that is sixty
36 days or less prior to any election, municipal meeting, school district
37 election or school district meeting, attempts to influence the vote of
38 any operative in his or her employ by threats of withholding
39 employment from him or her or by promises of employment, or [who]
40 (2) dismisses any operative from his or her employment on account of
41 any vote he or she has given at any such election or meeting shall be
42 [fined not less than one hundred dollars nor more than five hundred
43 dollars or be imprisoned not less than six months nor more than

44 twelve months or be both fined and imprisoned] guilty of a class D
 45 felony.

46 Sec. 5. Section 9-366 of the general statutes is repealed and the
 47 following is substituted in lieu thereof (*Effective July 1, 2012*):

48 Any person who induces or attempts to induce any elector to write,
 49 paste or otherwise place, on a write-in ballot voted on a voting
 50 tabulator at any election, any name, sign or device of any kind, as a
 51 distinguishing mark by which to indicate to another how such elector
 52 voted, or enters into or attempts to form any agreement or conspiracy
 53 with any person to induce or attempt to induce electors or any elector
 54 to so place any distinguishing mark on such ballot, or attempts to
 55 induce any elector to do anything with a view to enabling another
 56 person to see or know for what persons or any of them such elector
 57 votes on such tabulator, or enters into or attempts to form any
 58 agreement or conspiracy to induce any elector to do any act for the
 59 purpose of enabling another person or persons to see or know for what
 60 person or persons such elector votes, or attempts to induce any person
 61 to place himself or herself in such position, or to do any other act for
 62 the purpose of enabling him or her to see or know for what candidates
 63 any elector other than himself or herself votes on such tabulator, or
 64 himself or herself attempts to get in such position to do any act so that
 65 he or she will be enabled to see or know how any elector other than
 66 himself or herself votes on such tabulator, or does any act which
 67 invades or interferes with the secrecy of the voting or causes the same
 68 to be invaded or interfered with, shall be [imprisoned not more than
 69 five years] guilty of a class C felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	9-363
Sec. 2	<i>July 1, 2012</i>	9-364
Sec. 3	<i>July 1, 2012</i>	9-364a
Sec. 4	<i>July 1, 2012</i>	9-365

Sec. 5	<i>July 1, 2012</i>	9-366
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GAE *Joint Favorable*

JUD *Joint Favorable*